

IN RE: PETITION FOR VARIANCE  
SW/S Leslie Road, 225' SE of the c/l  
Railway Avenue  
(1508 Leslie Road)  
12<sup>th</sup> Election District  
7<sup>th</sup> Councilmanic District

Robert A. Black, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 99-501-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Robert A. and Linda M. Black. The Petitioners seek relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front average setback of 18 feet in lieu of the required 26 feet for a proposed building addition, and an amendment to the previously approved site plan and Order in prior Cases Nos. 89-474-A and 94-303-A to reflect the proposed modifications. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in the support of the request was Robert A. Black, property owner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangularly shaped lot, 50' wide by 110' deep, consisting of a gross area of 6,650 sq.ft., zoned D.R. 5.5. The property is presently improved with a single family dwelling and a 24' x 24' detached garage. The Petitioners have resided on the property for many years and have made numerous improvements thereto over the course of time. In prior zoning Case No. 89-474-A, variance relief was granted to permit the construction of a 5' x 22' addition on the south side of the dwelling to enlarge the existing kitchen. Later, in Case No. 94-303-A, the Petitioners were granted relief to construct the

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Date 8/19/99  
By [Signature]

existing garage. The Petitioners now come before me seeking a modification of the relief approved in the prior cases and a variance to construct an addition on the front of the house.

Mr. Black testified that construction of the kitchen addition approved in prior Case No. 89-474-A never commenced; however, he would like that variance to remain in effect so that if the addition is ever constructed, approval of same will be in place. Further testimony revealed that the relief granted in prior Case No. 94-303-A approved construction of the existing garage with a height greater than the 15-foot height limitations imposed by the B.C.Z.R. The Petitioners original plans to construct a second floor were never realized, however, and the garage was constructed with a height less than 15 feet. Thus, in view of the as-built condition of the garage, variance relief as granted under 94-303-A shall be voided.

In the instant case, the Petitioners seek relief for an 8' x 12' addition to the front of the dwelling. As shown on the site plan, most houses in the neighborhood, including this property, have an existing open porch across the front of the dwelling. The Petitioners propose enclosing a portion of that porch so as to enlarge the existing living room. The addition will not extend into the front yard further than the limits of the existing porch. However, enclosure of the porch to create interior living space requires a larger front yard setback than an open structure. Thus, variance relief is necessary to permit a front setback of 18 feet in lieu of the required 26 feet.

Based upon the testimony and evidence presented, all of which is uncontradicted, I am persuaded to grant the requested relief. In my view, the Petitioners have satisfied the requirements set forth in Section 307 of the B.C.Z.R. for a variance to be granted. Moreover, there were no adverse Zoning Plans Advisory Committee (ZAC) comments and no Protestants appeared at the hearing. Thus, it appears that grant of the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

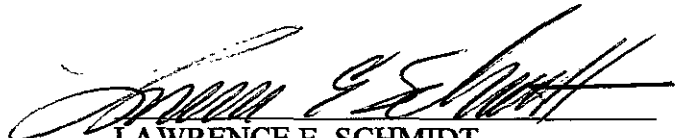
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of August, 1999 that the Petition for Variance seeking relief from Sections

1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front average setback of 18 feet in lieu of the required 26 feet for a proposed building addition, and an amendment to the previously approved site plan and Order issued in prior Cases Nos. 89-474-A and 94-303-A, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the terms and conditions of the Order issued in prior Case No. 89-474-A shall remain in full force and effect; and,

IT IS FURTHER ORDERED that the Order issued in prior Case No. 94-303-A be and the same is hereby VOIDED.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

August 9, 1999

Mr. & Mrs. Robert A. Black  
1508 Leslie Avenue  
Baltimore, Maryland 21222

RE: PETITION FOR VARIANCE  
SW/S Leslie Road, 225' SE of the c/l Railway Avenue  
(1508 Leslie Road)  
12th Election District - 7th Councilmanic District  
Robert A. Black, et ux - Petitioners  
Case No. 99-501-A

Dear Mr. & Mrs. Black:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

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# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1508 LESLIE RD.

which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.3.C.1 ~~AND~~ AND SECTION 303.1. BLZR TO PERMIT A FRONT AVERAGE SETBACK OF 18 FT. IN LIEU OF 26 FT. FOR A PROPOSED BUILDING ADDITION AND TO AMEND THE PREVIOUSLY APPROVED PLAN AND ORDER IN CASE #89-474-A AND 94-303-A.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 99-501-A

REV 9/15/98

## Legal Owner(s):

ROBERT A. BLACK

Name - Type or Print

Signature

Linda m. BLACK

Name - Type or Print

Linda m. Black

Signature

X 1508 LESLIE AVE 410-282-7940

Address

Telephone No.

1 BALTO. CO. MD.

City

State

21222

Zip Code

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1/2 HR

UNAVAILABLE FOR HEARING

Reviewed By JL

Date 6/14/98

ORDER RECEIVED FOR FILING

Date

By

ZONING DESCRIPTION

1508 Leslie Road

Beginning at a point on the south west side of Leslie Road at a distance of 225 Feet south east of Railway Ave. Being Lot # 13 in the subdivision of Addition to Brookview PLAT BOOK 2 FOLIO 124. 12th Election Dist 7th Council Dist

• 15 AC ±

501

99-501-A

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT**

**No. 501**

**067874**

DATE 6/14/99 ACCOUNT 60016150

AMOUNT \$ 50.00

RECEIVED FROM: B. BLACK (IN PARTIAL PAY FOR WORK AT 3578 E. 4TH ST)

FOR: RV FILING

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**PAID RECEIPT**

DATE 6/14/99 ACTUAL TIME 08:47:00  
RECEIVED BY CASHIER KIM KIM DRAKE  
RECEIPT # 5 520 CONTING VERIFICATION  
CR NO. 067874

RECEIPT FOR 50.00  
CK 50.00  
Baltimore County, Maryland

**99-501-A**

**CASHIER'S VALIDATION**

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: 408-501-A  
1508 Leslie Road  
SW/S Leslie Road, 228 SE  
of Railway Avenue  
12th Election District  
7th Councilmanic District  
Legal Owner(s):  
Linda M. Black &  
Robert A. Black

**Variance:** to permit a front average setback of 18 feet in lieu of 28 feet for a proposed building addition and to amend the previously approved plan and order in case numbers 89-472-A and 94-303-A

**Hearing:** Wednesday, August 4, 1989 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

**NOTES:** (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4346.

(2) For information concerning the filing and/or hearing, contact the Zoning Review Office at (410) 887-3881.  
JT 7602 July 20 1328882

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 7/22/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/20/, 1999.

THE JEFFERSONIAN,

*S. Wilkinson*

LEGAL ADVERTISING



CERTIFICATE OF POSTING

RE: CASE # 89-501-A  
PETITIONER/DEVELOPER:  
(Robert A. Black)  
DATE OF Hearing  
(Aug. 4, 1999)

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property located at  
1508 Leslie Road Baltimore, Maryland 21222\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 7-20-99 \_\_\_\_\_  
[Month, Day, Year]

Sincerely,

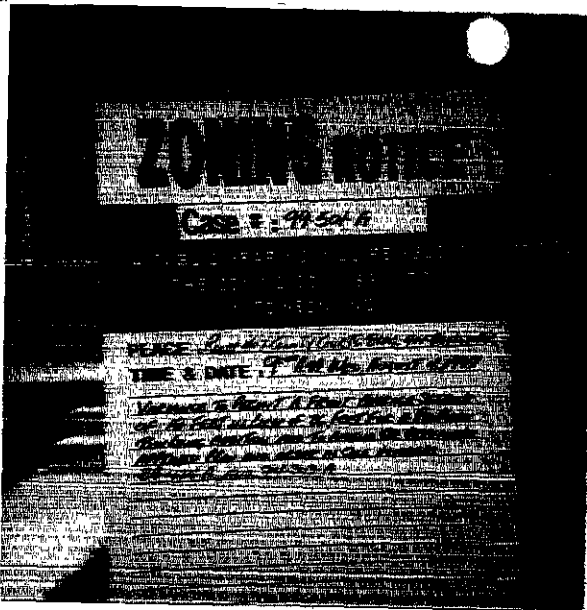
  
[Signature of Sign Poster & Date]

\_\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_

\_\_\_\_\_ 325 Nicholson Road \_\_\_\_\_

\_\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_

\_\_\_\_\_ [410]-687-8405 \_\_\_\_\_  
[Telephone Number]



RE: PETITION FOR VARIANCE  
1508 Leslie Road, SW/S Leslie Rd,  
225' SE of Railway Ave  
12th Election District, 7th Councilmanic

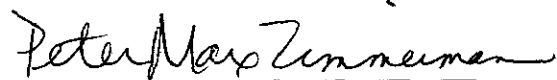
Legal Owner: Robert A. & Linda M. Black  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 99-501-A

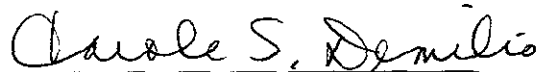
\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> day of July, 1999 a copy of the foregoing Entry of

Appearance was mailed to Robert A. & Linda M. Black, 1508 Leslie Road, Baltimore, MD 21222, Petitioners.



PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

July 8, 1999

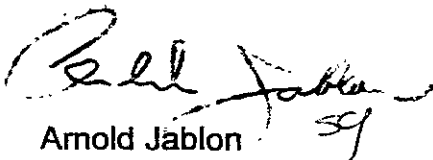
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-501-A  
1508 Leslie Road  
SW/S Leslie Road, 225' SE of Railway Avenue  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Linda M. Black & Robert A. Black

Variance to permit a front average setback of 18 feet in lieu of 26 feet for a proposed building addition and to amend the previously approved plan and order in case numbers 89-474-A and 94-303-A.

HEARING: Wednesday, August 4, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

  
Arnold Jablon  
Director

C: Linda & Robert Black

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 20, 1999.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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TO: PATUXENT PUBLISHING COMPANY  
Tuesday, July 20, 1999 Issue – Jeffersonian

Please forward billing to:

Robert & Linda Black                      410-282-7940  
1508 Leslie Avenue  
Dundalk, MD 21222

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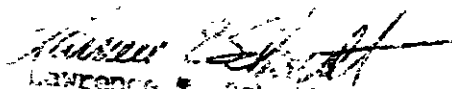
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1508 Leslie Road  
SW/S Leslie Road, 225' SE of Railway Avenue  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Linda M. Black & Robert A. Black

Variance to permit a front average setback of 18 feet in lieu of 26 feet for a proposed building addition and to amend the previously approved plan and order in case numbers 89-474-A and 94-303-A.

HEARING: Wednesday, August 4, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

  
Lawrence E. Schmidt *sq*

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Item Number or Case Number: 99-501-A

Petitioner: ROBERT BLACK AND LINDA BLACK

Address or Location: 1508 LESLIE AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT AND LINDA BLACK

Address: 1508 LESLIE AVE, DUNDALK MD. 21222

Telephone Number: 410 282 7940



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

July 30, 1999

Mr. & Mrs. Robert Black  
1508 Leslie Avenue  
Baltimore, MD 21222

Dear Mr. & Mrs. Black:

RE: Case Number 99-501-A, 1508 Leslie Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 14, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on the case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized "scj" monogram at the end.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:scj

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

July 21, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 6, 1999

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

501, 502, 504, 505, 507, 508, 510, 511, 512, 513, 514,  
515, 516, 518, 519, 520, 523, 524,

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

AUG 13

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Ho  
8/4

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** June 30, 1999

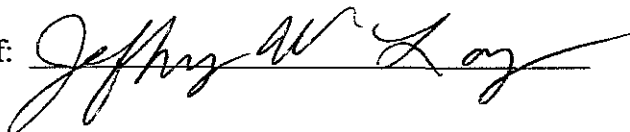
**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):  
Item No(s): 501 and 508

If there should be any questions or this office can provide additional information, please  
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
            Department of Permits & Development  
            Management

Date:   July 13, 1999

FROM:   *RWB* Robert W. Bowling, Supervisor  
            Bureau of Development Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
            for July 12, 1999  
            Item Nos. 501, 502, 503, 504, 505,  
            507, 508, 509, 510, 511, 512, 513,  
            514, 516, 518, 519, 520, 521, 522,  
            523, 524,

and

Case Number 99-477-SPHA  
Windsor Commons

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:jrb

cc:   File

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1508 Leslie Road, Dundalk Md 21222

Subdivision name: Addition to Brookview

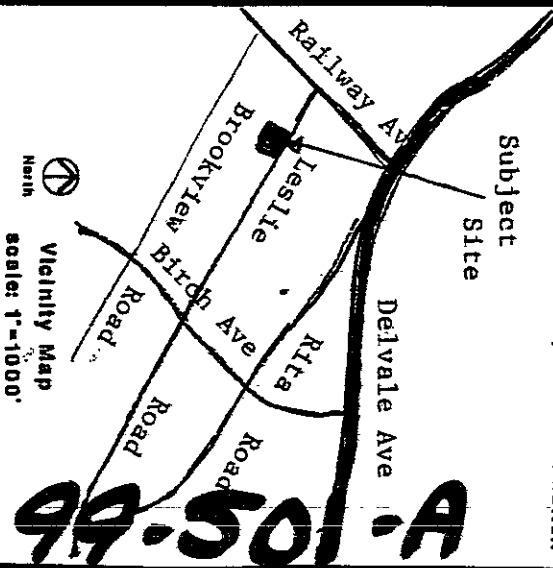
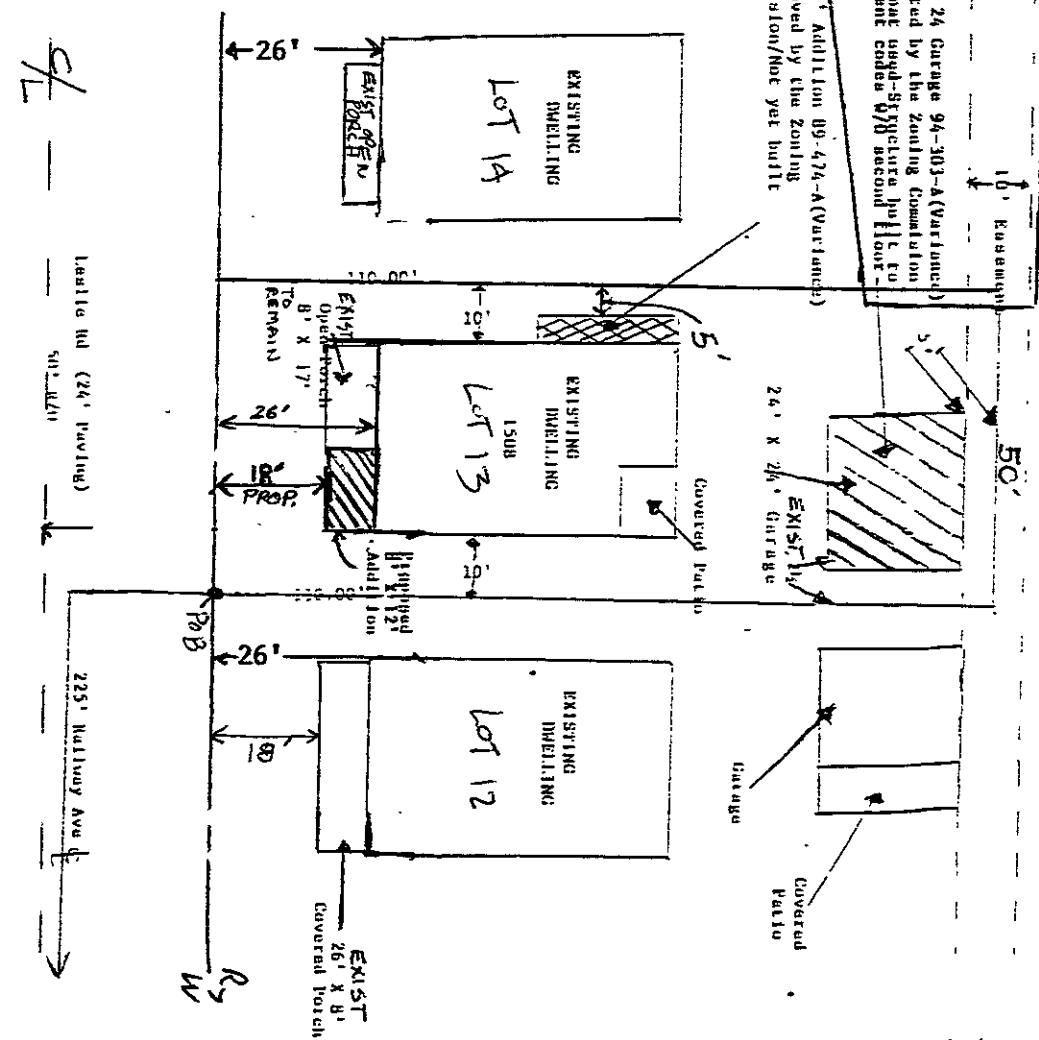
plat book # 2, folio # 124, lot # 13, section #

OWNER: Robert and Linda Black

see pages 5 & 6 of the CHECKLIST for additional required information

94-303-A  
THIS VARIANCE  
FOR HEIGHT IS  
BEING WITHDRAWN  
AS PART OF A  
NEW HEARING.  
IT IS NOW BUILT.  
RIGHT IS < 15 FT

5' x 22' Addition 89-474-A (Variance)  
Approved by the Zoning  
Commission/Not yet built



## LOCATION INFORMATION

Election District: 12

Councilmanic District: 7

1"=200' scale map#: SE2E

Zoning: DR5.5

Lot size: .15 acreage 6650 square feet

SEWER: ☒ public ☐ private  
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

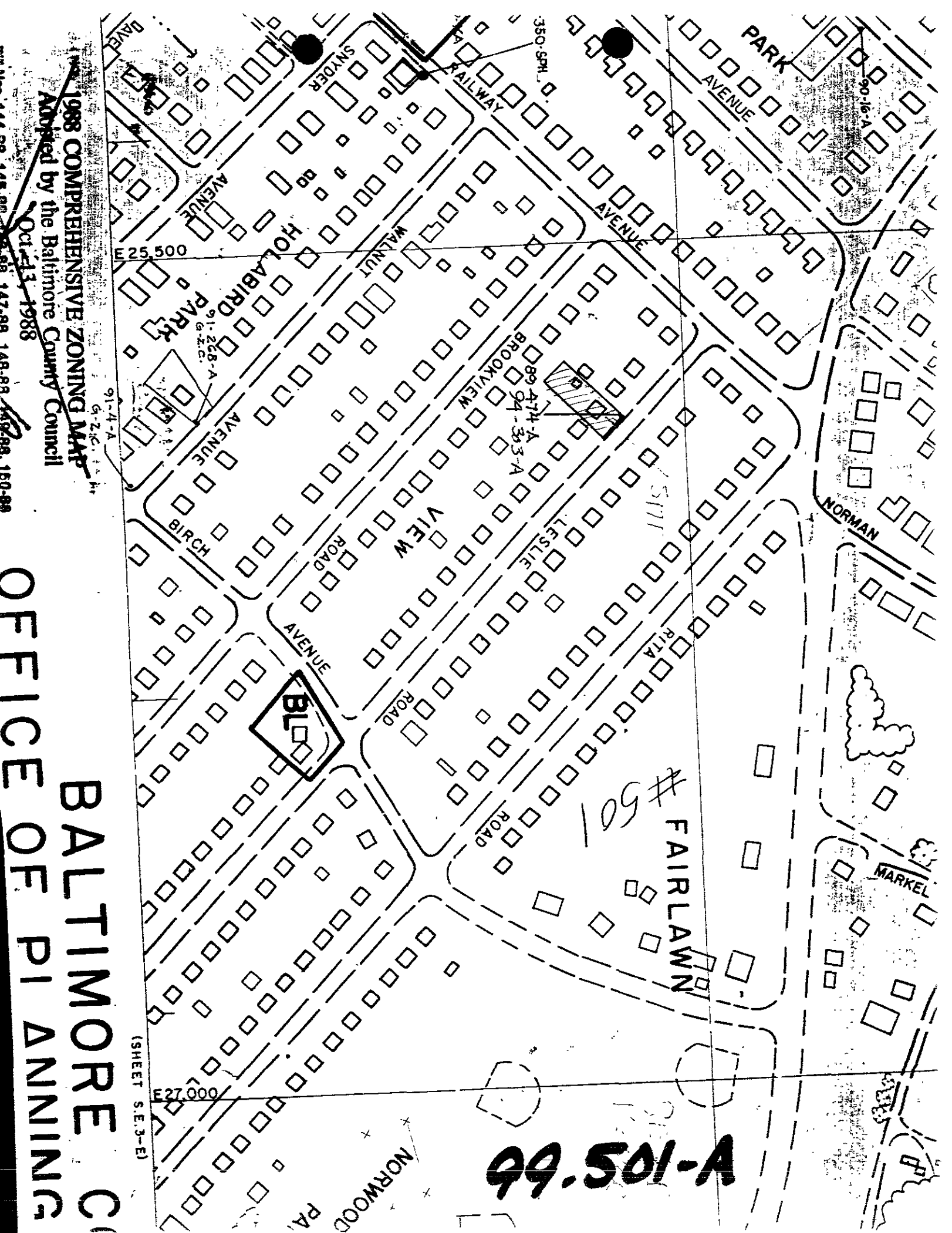
Prior Zoning Hearings: 89-474-A SITE PLAN  
94-303-A FLOOD PLAN

## Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:

94-303-A

North  
date: 6 Aug 95  
prepared by: Robert Black  
Scale of Drawing: 1" = @ 30



OFFICE OF PLANNING

BALTIMORE CITY

1988 COMPREHENSIVE ZONING MAP

Adopted by the Baltimore County Council

Oct 13, 1988

147-98 148-98 149-98 150-98